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Fax: (248) 223-9522  
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TO: Examiner Mohamed  
Charioui, Tech Center 2857

FIRM: USPTO

FAX NO.: (703) 872-9305

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From: Kevin G. Mierzwa

Date: August 17, 2004

Our File No.: 125755 (GEMS 0160 PUS)  
 10/064,128

Your Ref. No.:

Comments: Attached is Notice of Appeal from the decision of the Primary Examiner dated May 17, 2004, as well as Fee Transmittal for FY 2004.

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Total Pages (incl. Cover sheet): 4

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P. 02/04

AUG 17 2004  
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

Claude Scher

Group Art Unit: 2857

Serial No.: 10/064,128

Examiner: Charioui, Mohamed

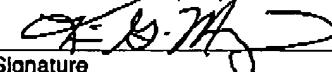
Filed: 06/13/2002

For: DIAGNOSTIC SYSTEM FOR A DATA ACQUISITION SYSTEM

Attorney Docket No.: 125755 (GEMS 0160 PUS)

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being transmitted by facsimile to the United States Patent and Trademark Office, Centralized Facsimile No. (703) 872-9306.

  
\_\_\_\_\_  
Signature

Date: 8/17/04

Kevin G. Mierzwa

**NOTICE OF APPEAL FROM THE PRIMARY**  
**EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**  
**(37 C.F.R. § 1.191)**

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed May 17, 2004, finally rejecting claims 1-20.

This application is on behalf of other than a small entity.

The fee for filing the Notice of Appeal is \$330.00.

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(10/064,128)

The Commissioner is hereby authorized to charge payment of the required fees during the pendency of this application or credit any overpayment to Deposit Account No. 50-0476.

Respectfully Submitted,



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Kevin G. Mierzwa  
Reg. No. 38,049  
28333 Telegraph Road, Suite 250  
Southfield, MI 48034  
(248) 223-9500

Dated: 8/17/04